


Oregon Department of Transportation  POLICY	NUMBER ADM-21-001	SUPERSEDES
	EFFECTIVE DATE July 1, 2021	PAGE NUMBER 1 OF 4
	VALIDATION DATE June 1, 2022	
	REFERENCE HB2985, Transportation Commission policy (#11), FASM 1.0, FASM 15.5, OAM 55.30.00	
SUBJECT Equitable Engagement Compensation	APPROVED SIGNATURE <i>Lindsay Baker</i>	

PURPOSE

The Oregon Department of Transportation (Department) is creating an Equitable Engagement Compensation Policy (EECP) to remove barriers that have systematically prevented marginalized populations and others from participating in public engagement and advisory activities with the Department.

BACKGROUND

The Department regularly seeks input from community members statewide on a variety of projects, plans, policies, and administrative rules. Yet, many individuals cannot participate in these activities due to the financial hardship associated with several factors including, but not limited to, taking unpaid time off work, travel expenses, cost associated with childcare, etc. This Equitable Engagement Compensation Policy and Program intends to supplement the existing Oregon Transportation Commission (OTC) public involvement policy [Transportation Commission-11] by providing a comprehensive solution to these barriers in order to disrupt the system of exclusion historic in our engagement processes. As a result, any feedback community members offers the Department during participation in our engagement activities will receive payment.

The EECP directly advances a goal of the Department's 2021-2023 Strategic Action Plan, which is "To utilize the viewpoints of those who reside in the communities ODOT serves and who are likely to be affected by the decisions ODOT makes." In addition, this policy shall support the intent of [HB 2985](#), to ensure that "membership of advisory committees to the Department reflects the racial, ethnic, and ability composition of this state..."

Many public organizations have recognized these barriers to inclusive engagement and have developed robust investment policies to address these challenges.

POLICY

The EECP establishes three tools to address these barriers and promote more inclusive engagement:

- **Incentives.** Incentives are payments to individuals for participation in targeted one-time meetings, activities, or events. Examples include focus groups, workshops, hiring or evaluation panels, etc.
- **Stipends.** Stipends are payments to individuals for their participation on formal advisory committees or groups that meet two times or more. Stipends may be used for committees or groups that advise the Department on projects, plans, policies, rulemaking, etc.
- **Community Engagement Contracts.** Community Engagement Contracts (CEC) procure services directly from an individual Participant or a Community-Based Organization (CBO) for specific responsibilities and deliverables such as, but not limited to: preparing for and attending meetings; providing formal written comments; the same Participant or CBO to participate in multiple committees, projects, or efforts; or having CBOs represent the Department at community engagement activities.

These tools recognize the culturally informed knowledge that people draw from and their experiences in the community, which are essential to informing the Department's decisions.

GUIDELINES

Eligibility

The Department shall evaluate all engagement activity against the definition for incentives, stipends and CECs. The Department Project/Program Manager ("PM") shall review the intended Participants for each activity and assess if any *may* meet the singular criterion:

- The Participant is not being compensated by any other organization, including their employer, to participate in, or represent specific interests in, the stated activity with the Department.

Participants meeting this criterion are eligible under the EECF and shall be offered the choice to opt into receiving payment for their time.

Payment Limits

Incentives and Stipends:

In making incentive or stipend payments, the Department, through its contractors when appropriate, shall provide an *hourly* rate of between twenty-dollars (\$20) to thirty-dollars (\$30) for a Participant's time and input on qualifying activities. The Department shall evaluate these rates for inflation every two years. The approved rate for a Participant shall depend on the complexity of the activity the Participant is asked to perform. The Participant shall be paid only for time spent during the official activity. Payment does not extend to travel or preparation time, but these factors may be considered in determining the appropriate hourly rate within the range.

Incentives and stipends shall be provided only in the form of prepaid cash gift cards. The Department shall cover the cost of the one-time activation fee by adding the value of the fee to

the overall gift card value.

Community Engagement Contracts:

Payment associated with Community Engagement Contracts (CECs) is not calculated in the same way as incentives or stipends. CECs may cover preparation time, and shall be negotiated between the Department and the relevant individual Participant or CBO based on specific deliverables. Payment for CECs shall be made according to the schedule and method specified in the contract.

Funding Sources

Appropriate funds shall be used for EECP payments out of existing project or program budgets, to the maximum extent possible. Approving Managers are responsible for confirming only eligible funds are used to make payments under this policy.

State Highway funds may be used to make payments prescribed in the EECP, and is a permissible use according to Article IX, Section 3a of the Oregon Constitution. State Highway Funds may be used within a federal project but the federal dollars cannot pay for stipends or incentives, per the Federal Highway Administration rules. To pay for stipends or incentives in an exclusively federally funded project, state funds shall be requested from within the office's budget. Unlike for stipends and incentives, federal funds *can* be used to make payments for services as part of Community Engagement Contracts (CECs), which are deliverable-based.

Only in instances where State Highway funds are unavailable for EECP payments shall Approving Managers seek Transportation Operative Fund (TOF) resources for payments. Approving Managers shall consult the ODOT Budget Manager to request and ensure the proper use of TOF.

DEFINITIONS

Engagement Activity: Engagement activity is an activity conducted by the Department to receive targeted feedback from specific stakeholders on projects, programs, policies, plans, rules or evaluations done by the Department. General public events, such as open houses, and public testimony where residents at large are welcome to comment, are not covered under this policy given their general nature.

Community-Based Organization (CBO): A community-based organization is a public or private nonprofit organization that is representative of a community or significant segments of a community, or provides educational, technical, financial assistance, advocacy, arts, civic, cultural, health and human service, or related services to individuals in the community.

Participant: Participant refers to the individual stakeholder who shall receive payments under the EECP.

Project/Program Manager (PM): Project/Program Manager refers to the Department employee who is responsible for the engagement initiatives as part of planning, projects,

evaluations, or policy and rulemaking.

Approving Manager: The Project/Program Manager's supervisor, with budget authority, who will approve EECP incentives, stipends, or CECs.